



J. Ashley Cooper

Partner

Telephone: 843.727.2674

Direct Fax: 843.727.2680

ashleycooper@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

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VIA ELECTRONIC FILING

Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, SC 29211

**Re: Exploration of a South Carolina Competitive Procurement Program for the Competitive Procurement of Energy and Capacity from Solar and Other Renewable Energy Facilities by an Electrical Utility as Allowed by South Carolina Code Section 58-41-20(E)(2)
Docket No. 2019-365-E**

Dear Ms. Boyd:

I am writing on behalf of Dominion Energy South Carolina, Inc. ("DESC"), to provide an update on the discussions surrounding a proposed procedural schedule for this docket.

Background

On April 19, 2021, DESC, Duke Energy Carolinas, LLC ("DEC"), Duke Energy Progress, LLC ("DEP"), Carolinas Clean Energy Business Association ("CCEBA"), Ecoplexus Inc. ("Ecoplexus"), Southern Current, LLC ("Southern Current"), and Cypress Creek Renewables, LLC ("CCR") (DESC, DEC, DEP, CCEBA, Ecoplexus, Southern Current, and CCR, collectively, the "Interested Parties") submitted correspondence to the Public Service Commission of South Carolina (the "Commission") indicating the Interested Parties were discussing options for a proposed procedural schedule in this docket.¹ In that letter, the Interested Parties noted that those discussions were aimed at providing the Commission with a consensus proposal no later than today. If no consensus was reached, the Interested Parties indicated that the parties may provide separate procedural schedules for the Commission's consideration.

Although the Interested Parties communicated in good faith, no consensus was reached. As such, I write to respectfully provide DESC's proposed procedural schedule for this docket.

¹ The Interested Parties first provided an update to the Commission on April 5, 2021.

Scope of Generic Docket

The content and scope of any procedural schedule must necessarily be within the scope of Order No. 2020-779, which was issued in this generic docket on November 18, 2020. In that order, the Commission clearly stated the purpose of this docket was to “explore” various aspects of programs for the competitive procurement of renewable energy (“CPRE”) by reviewing topics such as best practices and types of CPREs, rather than actually establishing any such program. It is well-settled that Commission actions must be in-line with the notice afforded to parties so that affected parties may advocate their position—including opposing any such potential actions.² For example, in this docket, parties made decisions on whether—and to what extent—to participate based on the stated purpose in Order No. 2020-779. The testimony presented in this generic docket was consistent with that stated purpose and provided the Commission with a generic, broad overview of those topics. This included testimony from witnesses representing various interests that echoed a common theme—there are various policy reasons for implementing CPREs and a multitude of ways to design CPREs.

DESC's Proposed Procedural Schedule

Given the broad range of options when designing a CPRE, establishing procedural items such as procurement programs or guidelines would be premature in this generic CPRE docket. Any such procurement programs or guidelines should be specifically tailored to address an identified need in a utility's Integrated Resource Plan (“IRP”). This would permit the Commission to evaluate the specific benefits to that utility's system arising from things such as (1) targeting a subset of renewable generation; (2) procuring such generation at rates below avoided cost; (3) deploying emerging technologies; and (4) diversifying generation mix.

As such, DESC respectfully requests that the Commission order the following in this generic docket:

1. Where a utility's IRP identifies a need for renewable resources in the future, then that utility shall explore options to fulfill that need. Such options may include, but are not limited to, utility ownership, utility-specific procurement mechanisms such as CPRE, and deployment of emerging technologies.
2. Where a utility identifies a utility-specific CPRE as an effective mechanism to address a renewable need identified in the IRP, it will request that the Commission open a utility-specific docket within 90 days of such request.
3. Once the utility-specific docket is established, such utility will work to establish a broad stakeholder process to develop CPRE guidelines and protocols.
4. Issues to be addressed during that stakeholder process may include but are not limited to (1) proposed procedural steps for the utility-specific procurement docket; (2) utility participation and procurement administration; and (3) financial (e.g., least-cost) and non-financial terms and conditions that shall be included in such guidelines and protocols. This process would be conducted with the ultimate goal of presenting a unanimous proposal to the Commission for how

² See, e.g., *Kurschner v. City of Camden Plan. Comm'n*, 656 S.E.2d 346 (2008) (“The fundamental requirements of due process include notice, an opportunity to be heard in a meaningful way, and judicial review.”).

such CPRE should be structured to fulfill the identified need of that utility in the best interest of its ratepayers.

Conclusion

DESC appreciates the Commission providing the Interested Parties with an opportunity to negotiate a procedural schedule. Although the Interested Parties did not develop a consensus proposal, DESC believes that the proposed procedural schedule outlined herein not only provides a reasonable path forward, but also protects ratepayers by ensuring that a CPRE would only be initiated to fulfill an identified utility-specific need. Additionally, this proposal allows for the continued input of a broad array of diverse stakeholder interests, and DESC will continue to maintain an open dialogue with the Interested Parties. As such, DESC respectfully requests that the Commission approve this proposed procedural schedule. Thank you for your time and consideration of this matter.

Sincerely,



J. Ashley Cooper

JAC:hmp

cc: All parties of record in Docket No. 2019-365-E (Via Electronic Mail)